

ENVIRONMENTAL ASSESSMENT RECORD

1. **NUMBER** CO-WRFO-03-175-EA
2. **CASEFILE/PROJECT NUMBER:** C-9434
3. **PROJECT NAME:** Pipeline construction
4. **LEGAL DESCRIPTION:** T5S R101W Section12 SWSW
5. **APPLICANT:** Maralex Resources
6. **NEED FOR PROPOSED ACTION:** Maralex requested permission to build a pipeline
7. **DESCRIPTION OF PROPOSED ACTION:**

a. Proposed Action: Maralex proposes to bury a four-inch high-pressure gas line, 0.75 mile, from the 12-4 well to the 1-1 well. The trench will be adjacent to the existing access road, 36 inches deep and the surface reclaimed to BLM standards. Total disturbance will be about 3 acres.

b. No Action Alternative: No pipeline would be built and there would be no impacts.

8. **PLAN CONFORMANCE REVIEW:**

a. Name of Plan: White River Record of Decision and Approved Resource Management Plan (ROD/RMP).

b. Date Approved: July 1, 1997

c. Page/Decision: Page 2-5: "Make federal oil and gas resources available for leasing and development in a manner that provides reasonable protection for other resource values."

d. The proposed action has been reviewed for conformance with this plan (43 CFR 1610.5, BLM 1617.3) The action conforms to the decisions/pages of the plan listed above.

9. **RELATIONSHIP TO OTHER NEPA DOCUMENTS:** This environmental assessment is tiered to, and incorporates by reference the White River Resource Area Resource Management Plan (PRMP) and Final Environmental Impact Statement (FEIS) approved May 29, 1996.

10. AFFECTED ENVIRONMENT/ENVIRONMENTAL IMPACTS/MITIGATION MEASURES:

CRITICAL ELEMENTS

An X in the “Not Affected” column in the table below indicates that the critical element has been analyzed and will not be affected by the proposed action or the no action alternative. Affected elements are addressed in the paragraphs following the table.

Not Affected	Critical Element	Specialist Signature	Date
X	Air Quality	Max McCoy	9-10-03
	Cultural Resources		
	Floodplains, Wetlands, Riparian Zones, and Alluvial Valleys		
X	Native American Concerns	Max McCoy	9-10-03
X	Prime and Unique Farmlands	Max McCoy	9-10-03
X	Threatened and Endangered Animals	Ed Hollowed	9/25/03
X	Threatened and Endangered Plants	T. Meagley	09-22-03
X	Wastes, Hazardous or Solid	M. O’Mara	10/06/03
	Water quality, Surface or Ground		
X	Wilderness Area, Wild and Scenic Rivers	Chris Ham	10/06/03
X	Areas of Critical Environmental Concern	T. Meagley	09-22-03
X	Environmental Justice	Max McCoy	9-10-03
	Invasive, Non-Native Species/Reclamation		
	Noxious Weeds		

CULTURAL RESOURCES:

Affected Environment: The proposed route has been inventoried at the Class III (100% pedestrian) level (Conner 2003, Compliance Dated 10/29/2003) with now new cultural resources identified in the inventory area.

Impact of Proposed Action: There would be no impacts to any known cultural resources under the proposed action.

Impact of No Action Alternative: There would be no new impacts to cultural resources under the No Action Alternative.

Mitigative Measures:

1. The operator is responsible for informing all persons who are associated with the project operations that they will be subject to prosecution for knowingly disturbing historic or archaeological sites, or for collecting artifacts. If historic or archaeological materials are uncovered during any project or construction activities, the operator is to immediately stop activities in the immediate area of the find that might further disturb such materials, and immediately contact the authorized officer (AO). Within five working days the AO will inform the operator as to:

- whether the materials appear eligible for the National Register of Historic Places
- the mitigation measures the operator will likely have to undertake before the site can be used (assuming in situ preservation is not necessary)
- a timeframe for the AO to complete an expedited review under 36 CFR 800-11 to confirm, through the State Historic Preservation Officer, that the findings of the AO are correct and that mitigation is appropriate.

If the operator wishes, at any time, to relocate activities to avoid the expense of mitigation and/or the delays associated with this process, the AO will assume responsibility for whatever recordation and stabilization of the exposed materials may be required. Otherwise, the operator will be responsible for mitigation cost. The AO will provide technical and procedural guidelines for the conduct of mitigation. Upon verification from the AO that the required mitigation has been completed, the operator will then be allowed to resume construction.

2. Pursuant to 43 CFR 10.4(g) the holder of this authorization must notify the AO, by telephone, with written confirmation, immediately upon the discovery of human remains, funerary items, sacred objects, or objects of cultural patrimony. Further, pursuant to 43 CFR 10.4(c) and (d), you must stop activities in the vicinity of the discovery and protect it for 30 days or until notified to proceed by the authorized officer.

Signature of specialist: Michael Selle 10/29/2003

FLOODPLAINS, WETLANDS, RIPARIAN ZONES, AND ALLUVIAL VALLEYS: (This includes all information related to Public Land Health Standard 2.)

Affected Environment: The proposed project is approximately 700 yards north of the springs which contribute to Big Springs Draw. This stream is perennial through most reaches. This stream is interrupted by landslides which created numerous lateral impoundments. There are also a few beaver present on this stream although habitat

components for maintaining beavers over the long term is severely lacking. All of the riparian habitat is located on private lands controlled by Russell Withers.

Impact of Proposed Action: The proposed project is not expected to have any impacts on the riparian habitat of Big Springs Draw.

Impact of No Action Alternative: There would be no impacts.

Mitigative Measures: None

Signature of specialist: Robert J. Fowler 1-12-04

WATER QUALITY, SURFACE OR GROUND: (This includes all information related to Public Land Health Standard 5.)

Affected Environment: Proposed action is in East Douglas Creek and Big Spring Draw, both are tributary to Douglas Creek and the White River. A review of the Colorado's 1989 Nonpoint Source Assessment Report (plus updates), the 305(b) report, the 303(d) list and the Unified Watershed Assessment was done to see if any water quality concerns have been identified. This pipeline is in a Category 1, Priority 2, watershed (The Lower White) identified in the Unified Watershed Assessment report. The state has reasons to believe this watershed has water quality problems (sediment and salinity loads) that may impair the watershed. Its designated beneficial uses are: Aquatic Life Cold 1, Recreation 1a, Water Supply and Agriculture. The state has further defined water quality parameters with table values. These standards reflect the ambient water quality and define maximum allowable concentrations for the various water quality parameters. The anti-degradation rule applies to this segment meaning no further water quality degradation is allowable that would interfere with or become harmful to the designated uses.

Impact of Proposed Action: Impacts to water quality from development of this pipeline would be similar to other surface disturbing activities. Some of these impacts would be exposure of soil surface to wind and water erosion, reduced water quality due to erosion of sediment and salt off road and pipeline rights of way, and piping or rill erosion where pipeline and roads are exposed to climatic elements. These impacts would be short term until re-vegetation has occurred.

Impact of No Action Alternative: Impacts are not anticipated from the no-action alternative.

Mitigative Measures: Efforts need to be made to keep sediment from leaving the site. Apply the following Conditions of Approval from Appendix B, in the White River ROD/RMP to help minimize surface disturbing impacts:

4. When preparing the site, all suitable topsoil should be stripped from the surface of the location and stockpiled for reclamation once the location is abandoned. When topsoil is stockpiled on slopes exceeding five percent, construct a berm or trench below the stockpile.

8. All activity shall cease when soils or road surfaces become saturated to a depth of three inches unless otherwise approved by the Authorized Officer.

35. Eliminate undesirable berms that retard normal surface runoff.

Signature of specialist: CHollowed 10/06/03

INVASIVE, NON-NATIVE SPECIES/RECLAMATION: (This includes vegetation information related to Public Land Health Standard 3.)

Affected Environment: The project area is within the mountain browse vegetation community. This community has fertile, deep soils and receives 18-20 inches of precipitation per year.

Impact of Proposed Action: This site is highly productive and offers few challenges to reclamation. The proposed seed mix is highly adapted to this site and would reclaim this site within three years. This seed mix contains non-native grass species. In seed mix #7, smooth brome is to be dropped because of its invasive tendencies. Orchard grass variety is to be changed to Paiute as this variety will stabilize the site quickly but will be replaced by native species because of its high palatability. Intermediate wheatgrass would establish well and would remain on site for approximately 10 years, eventually fading out. None of the proposed species in the mix have been shown to move offsite or to hybridize with the adjacent plant communities.

Impact of No Action Alternative: There would be no impacts.

Mitigation Measures: Seed mix Seven is recommended with the following changes, Smooth Brome will be dropped and orchard grass variety would be changed to Paiute. In addition, apply the following conditions of approval from Appendix B of the White River ROD/RMP:

180. All disturbed sites shall be promptly reclaimed to the satisfaction of the Area Manger.

181. Reclamation should be implemented concurrent with construction and site operations to the fullest extent possible. Final reclamation actions shall be initiated within six months of the termination of operations unless otherwise approved in writing by the Authorized Officer.

182. The goal for rehabilitation of any disturbed area shall be the permanent restoration of original site conditions and productive capability.

183. Disturbed areas shall be restored as nearly as possible to its original contour.

184. Fill material shall be pushed into cut areas and up over backslopes. Leave no depressions that will trap water or form ponds.

185. Distribute topsoil evenly over the location and prepare a seedbed by disking or ripping. Drill seed on contour at a depth no greater than 1/2 inch. In areas that cannot be drilled, broadcast at double the seeding rate and harrow seed into the soil.

186. Use seed that is certified and free of noxious weeds. Seed certification tags must be submitted to the Area Manager.

187. Additional seed applications may be required to accommodate specific site conditions or if initial seed germination has failed.

188. Seed species used in reseeding disturbed areas will be based on the seed mixes identified in table B1 and B2. These mixes are based on range sites as determined by soils. Only native plant species will be used for reseeding of disturbed areas within the Blue Mountain/Moosehead Geographic Reference Area, Wilderness study Areas, and within designated Areas of Critical Environmental Concern. Native plant species would be strongly encouraged in the remainder of the Resource Area for reseeding disturbed areas that are not threatened by establishment of exotic or noxious plant species. Naturalized plant species will be allowed for reseeding on "at risk" and "unhealthy" rangelands and grazable woodlands.

Signature of specialist: Robert Fowler 1-12-04

NOXIOUS WEEDS: (This includes vegetation information related to Public Land Health Standard 3.)

Affected Environment: The project area has been part of a BLM/grazing permittee weed management project for the control of the noxious weed houndstongue. Other weeds of concern in this area include bull and Canada thistle.

Impact of Proposed Action: Placement of the pipeline would require disturbing soils which would create suitable habitat for noxious weed establishment. It is fully expected that houndstongue will invade on this disturbed area. These noxious weeds need to be controlled to prevent a seed reservoir from developing. With control of noxious weeds this project would not become a problem.

Impact of No Action Alternative: There would be no conflicts.

Mitigation Measures: Application of pesticides and herbicides on public lands will conform to BLM Manual H-9011-1 and 9015.

Signature of specialist: Robert Fowler 1-12-03

NON-CRITICAL ELEMENTS

An X in the “Not Affected” column in the table below indicates that the non-critical element has been analyzed and will not be affected by the proposed action or the no action alternative. Affected elements are addressed in the paragraphs following the table.

Not Affected	Non-Critical Element	Specialist Signature	Date
X	Access and Transportation	Scott Pavey	9/24/03
X	Forest Management	R Fowler	1-12-04
X	Geology and Minerals	Paul Daggett	12/23/03
	Hydrology and Water Rights		
X	Land Status/Realty Authorizations	Penny Brown	09/12/03
X	Noise	Max McCoy	9-10-03
	Paleontology		
X	Rangeland Management	R. Fowler	1-12-04
	Recreation		
	Soils		
	Visual Resources		
X	Wildlife Aquatic	Ed Hollowed	9/25/03
	Wildlife Terrestrial		
X	Wild Horses	Max McCoy	12-16-03

HYDROLOGY AND WATER RIGHTS:

Affected Environment: BLM has two springs in close proximity to the proposed action. The table below identifies these water rights.

WATER RIGHT NAME	TOWNSHIP	RANGE	SECTION	QUARTER	APROPRIATION DATE	pH	SPECIFIC CONDUCTANCE	DISCHARGE IN GPM
182-13	5 S	101 W	12	NWNW	08/07/1984	8.3	947	20
182-15	5 S	101 W	12	SWSW	06/28/1934	8.5	978	2.7

Impact of Proposed Action: Impacts to hydrology and water quality from development of this pipeline would be similar to other surface disturbing activities. Some of these impacts would be exposure of soil surface to wind and water erosion and reduced water quality due to erosion of disturbed areas. These impacts would be short term until re-vegetation has occurred. It would be advantageous for the BLM to maintain these springs for their intended uses.

Impact of No Action Alternative: Impacts are not anticipated from not permitting

Mitigative Measures: None

Signature of specialist: CHollowed 10/06/03

PALEONTOLOGY:

Affected Environment: The proposed action occurs in an area mapped as the Garden Gulch/Douglas Creek member of the Green River Formation, which is currently classified as a Category II formation meaning its fossil bearing potential is not clearly understood in this area.

Impact of Proposed Action: If, at any time it becomes necessary to excavate into the underlying bedrock formation there is an unknown potential to impact significant fossil resources.

Impact of No Action Alternative: There would be no new impacts to fossil resources under the No Action Alternative.

Mitigative Measures: If paleontological materials (fossils) are uncovered during project activities, the operator is to immediately stop activities that might further disturb such materials, and contact the authorized officer (AO). The operator and the authorized officer will consult and determine the best option for avoiding or mitigating paleontological site damage.

Signature of specialist: Michael Selle 10/29/2003

RECREATION:

Affected Environment: The proposed action occurs within the White River Extensive Recreation Management Area (ERMA). BLM custodially manages the ERMA to provide for unstructured recreation activities such as hunting, dispersed camping, hiking, horseback riding, wildlife viewing and off-highway vehicle use. The action more precisely occurs within the East Douglas non-motorized area which is closed to public motorized use. Additionally, six permitted Outfitters and Guides utilize this area during the fall big game hunting season.

Impact of Proposed Action: If pipeline construction work occurs during the months of August through December the activities and associated traffic will more than likely disrupt the experience of the hunting public that utilize this area.

Impact of No Action Alternative: No impact to the public’s recreation experience.

Mitigative Measures: Avoid construction during the months of August through December.

Signature of specialist: Chris ham 1/07/04

SOILS:

Affected Environment: Baseline soils data have been collected for this area in Garfield County by the NRCS and are published in an order III Soil Survey. This survey, Soil Survey of Douglas-Plateau Area is available for review from the White River Field Office. The proposed pipeline is in soil type number 47, the table below identifies soil characteristics for this soil type.

Proposed Action	Soil Number	Soil Name	Slope	Range site	Top Soil	RunOff	Erosion Potential	Bedrock
Pipeline	47	Hesperus-Empedrado, moist-Pagoda complex	5-35%	Brushy Loam	6”	Rapid	Very Severe	>60

Typically, the surface layer is a dark grayish brown loam about 6 – 10 inches thick. Hard sandstone is at a depth more than 60 inches. The potential plant community on this unit is mainly mountain brome, nodding brome, elk sedge, Saskatoon, serviceberry, big bluegrass and Gambel’s oak. Revegetation limitations for this soil type is mainly the slope and restricted accessibility. There have not been any special designations assigned to this location such as fragile soil, high salt concentrations, excessive erosion, or steep slopes.

Impact of Proposed Action: Impacts associated with pipeline development include but are not limited to, loss of topsoil, soil compaction and possible increase in sediment loads to the White River. The primary surface-disturbing impact would be a potential increase in sediment transport from runoff events after the protective vegetative cover has been removed. The fact that the proposed action would be located on a relatively flat area, reduces this potential soil loss. Best management practices (BMPs), such as those outlined in Mitigative measures below, used to slow runoff, trap sediment and prepare reclaimed areas for seeding would help reduce soil loss. With the use of these BMPs, impacts are expected to be short in duration, during the construction phase and for a short time after construction, until successful reclamation is achieved.

Impact of No Action Alternative: Impacts are not anticipated from not permitting the proposed action.

Mitigative Measures: Apply the following conditions of approval from Appendix B, White River ROD/RMP.

96. Water bars or dikes shall be constructed on all of the rights-of-way, and across the full width of the disturbed area, as directed by the authorized officer.

97. Slopes within the disturbed area shall be stabilized by non-vegetative practices designed to hold the soil in place and minimize erosion. Vegetative cover shall be reestablished to increase infiltration and provide additional protection from erosion.

98. When erosion is anticipated, sediment barriers shall be constructed to slow runoff, allow deposition of sediment, and prevent it from leaving the site. In addition, straining or filtration mechanisms may also contribute to sediment removal from runoff

Signature of specialist: CHollowed 10/06/03

VISUAL RESOURCES:

Affected Environment: This project is in an area managed as VRM Class 2. VRM Class 2 allows for development as long as the development is not visible in the new view shed.

Impact of Proposed Action: This pipeline will follow the access road and therefore not be visible. The management guidelines for VRM Class 2 will be met.

Impact of No Action Alternative: None

Mitigative Measures: None

Signature of specialist: Max McCoy 12-16-03

WILDLIFE TERRESTRIAL:

Affected Environment: The proposed pipeline would be installed adjacent to an existing maintained well access road. This road generally runs through the center of a broad sagebrush bench. A narrow scattering of aspen that subtends a Douglas-fir/mountain shrub slope abuts the road and proposed pipeline several times along its length (about 15%). The project area is used primarily during the late spring through early winter months by deer and elk. These summer ranges are considered the limiting habitat component of big game range in Game Management Unit 21 and are classified by Colorado Division of Wildlife as critical habitat. BLM has no record of historic raptor nesting in the project area.

Impact of Proposed Action: This action would be limited to an existing disturbance corridor that is situated predominantly in the center of an open shrubland type. Pipeline installation, as a relatively short-term activity, would have little disruptive influence on big game summer

use activities in this privately controlled parcel of BLM. Right-of-way construction would broaden the disturbance width associated with the existing road, but assuming the roadbed could be incorporated into the working width of the right-of-way, it would be necessary to remove only a single row or so of aspen along the road (involving about 15-20 trees). Raptors and other nongame birds rarely situate nests immediately adjacent to active roadways. The project does not bisect suitable raptor nest habitat and is sufficiently removed from the margins of conifer or aspen stands capable of harboring raptor nesting activity (200-500') to preclude disruption of ongoing nest efforts.

Impact of No Action Alternative: Should the proposed action not be approved, it is likely that the applicant would propose alternative right-of-way alignments, which would increase the extent of surface disturbance and fail to integrate pre-existing forms of disturbance. Alternative alignments east of that proposed would increase the likelihood of involving potential raptor nesting habitat and would require BLM to survey the alignment for evidence of historical or current raptor nest activity.

Mitigative Measures: The existing roadbed will be considered integral with the working width of the right-of-way and only the minimum width necessary for trenching and soil spoiling may be used off road.

Signature of specialist: Ed Hollowed 9/25/03

CUMULATIVE IMPACTS: Cumulative impacts from oil and gas development were analyzed in the White River Resource Area PRMP/FEIS. Current development, including the proposed action, has not exceeded the foreseeable development analyzed in the PRMP/FEIS. Since the proposed pipeline will follow an existing road, any potential cumulative impacts associated with this project would be minimal.

Signature of specialist: Scott Pavey 9/24/03

Finding of No Significant Impact (FONSI)/Decision Record (DR)

FONSI: The environmental assessment, analyzing the environmental effects of the proposed action, has been reviewed. The approved mitigation measures (listed below) result in a finding of no significant impact on the human environment. Therefore, an environmental impact statement is not necessary to further analyze the environmental effects of the proposed action.

DECISION AND RATIONALE: It is my decision to grant this right away and allow the construction of the pipeline as described in the proposed action, with the mitigation measures outlined below. This action is consistent with decisions outlined in the White River RMP/ROD, and environmental impacts are expected to be minimal.

MITIGATION MEASURES:

1. The operator is responsible for informing all persons who are associated with the project operations that they will be subject to prosecution for knowingly disturbing historic or archaeological sites, or for collecting artifacts. If historic or archaeological materials are uncovered during any project or construction activities, the operator is to immediately stop activities in the immediate area of the find that might further disturb such materials, and immediately contact the authorized officer (AO). Within five working days the AO will inform the operator as to:

- whether the materials appear eligible for the National Register of Historic Places
- the mitigation measures the operator will likely have to undertake before the site can be used (assuming in situ preservation is not necessary)
- a timeframe for the AO to complete an expedited review under 36 CFR 800-11 to confirm, through the State Historic Preservation Officer, that the findings of the AO are correct and that mitigation is appropriate.

If the operator wishes, at any time, to relocate activities to avoid the expense of mitigation and/or the delays associated with this process, the AO will assume responsibility for whatever recordation and stabilization of the exposed materials may be required. Otherwise, the operator will be responsible for mitigation cost. The AO will provide technical and procedural guidelines for the conduct of mitigation. Upon verification from the AO that the required mitigation has been completed, the operator will then be allowed to resume construction.

2. Pursuant to 43 CFR 10.4(g) the holder of this authorization must notify the AO, by telephone, with written confirmation, immediately upon the discovery of human remains, funerary items, sacred objects, or objects of cultural patrimony. Further, pursuant to 43 CFR 10.4(c) and (d), you must stop activities in the vicinity of the discovery and protect it for 30 days or until notified to proceed by the authorized officer.

3. Efforts need to be made to keep sediment from leaving the site. Apply the following Conditions of Approval from Appendix B, in the White River ROD/RMP to help minimize surface disturbing impacts:

4. When preparing the site, all suitable topsoil should be stripped from the surface of the location and stockpiled for reclamation once the location is abandoned. When topsoil is stockpiled on slopes exceeding five percent, construct a berm or trench below the stockpile.
5. All activity shall cease when soils or road surfaces become saturated to a depth of three inches unless otherwise approved by the Authorized Officer.
6. Eliminate undesirable berms that retard normal surface runoff.
7. Standard Seed Mix will be used for reclamation with the following changes, Smooth Brome will be dropped and orchard grass variety would be changed to Paiute.
8. All disturbed sites shall be promptly reclaimed to the satisfaction of the Area Manger.
9. Reclamation should be implemented concurrent with construction and site operations to the fullest extent possible. Final reclamation actions shall be initiated within six months of the termination of operations unless otherwise approved in writing by the Authorized Officer.
10. The goal for rehabilitation of any disturbed area shall be the permanent restoration of original site conditions and productive capability.
11. Disturbed areas shall be restored as nearly as possible to its original contour.
12. Fill material shall be pushed into cut areas and up over backslopes. Leave no depressions that will trap water or form ponds.
13. Distribute topsoil evenly over the location and prepare a seedbed by disking or ripping. Drill seed on contour at a depth no greater than 1/2 inch. In areas that cannot be drilled, broadcast at double the seeding rate and harrow seed into the soil.
14. Use seed that is certified and free of noxious weeds. Seed certification tags must be submitted to the Area Manager.
15. Additional seed applications may be required to accommodate specific site conditions or if initial seed germination has failed.

16. Application of pesticides and herbicides on public lands will conform to BLM Manual H-9011-1 and 9015.

17. If paleontological materials (fossils) are uncovered during project activities, the operator is to immediately stop activities that might further disturb such materials, and contact the authorized officer (AO). The operator and the authorized officer will consult and determine the best option for avoiding or mitigating paleontological site damage.

18. Avoid construction during the months of August through December.

19. Apply the following conditions of approval from Appendix B, White River ROD/RMP.

20. Water bars or dikes shall be constructed on all of the rights-of-way, and across the full width of the disturbed area, as directed by the authorized officer.

21. Slopes within the disturbed area shall be stabilized by non-vegetative practices designed to hold the soil in place and minimize erosion. Vegetative cover shall be reestablished to increase infiltration and provide additional protection from erosion.

22. When erosion is anticipated, sediment barriers shall be constructed to slow runoff, allow deposition of sediment, and prevent it from leaving the site. In addition, straining or filtration mechanisms may also contribute to sediment removal from runoff

23. The existing roadbed will be considered integral with the working width of the right-of-way and only the minimum width necessary for trenching and soil spoiling may be used off road.

SIGNATURE OF PREPARER:

Max McCloy

DATE SIGNED:

1-16-04

SIGNATURE OF ENVIRONMENTAL COORDINATOR:

Scott P. [unclear]

DATE SIGNED:

1/16/04

SIGNATURE OF AUTHORIZED OFFICIAL:

Kurt A. Walter

DATE SIGNED:

01/16/04

ATTACHMENTS: Map of the Location of the Proposed Action

Location of Proposed Action CO-WRFO-03-175-EA

